

MEDIA RELEASE 18 September 2013

Opportunities missed to divert children from crime at great cost to all

Jesuit Social Services will mark the opening of its National Justice Symposium this evening with a call to reframe the debate on young people in the criminal justice system, placing an emphasis on prevention over punishment.

Speaking ahead of the two-day National Justice Symposium “Pushing the Boundaries: Rethinking the Extent of Children’s Involvement in the Criminal Justice System” Jesuit Social Services CEO Julie Edwards said opportunities were being missed to divert children from involvement in crime.

She said while we all want a safe community, there are better ways of achieving this. “These are among the most disadvantaged and vulnerable people in our society,” Ms Edwards said. “If we look at their backgrounds, we see cases of abuse, poor education, economic disadvantage, drug and alcohol problems and poor mental health.”

“Yet too often the response towards these children is one of blame and alienation. It is time to ask whether some of the blame lies with us as a community. We need to change the balance from reactive to proactive.”

The Symposium, to be launched with an address by National Children’s Commissioner Megan Mitchell, brings together experts from government, the legal profession, academia and the community sector. They will consider disturbing overrepresentation of Aboriginal children in detention, as well as evidence connecting trauma, abuse and neglect in childhood with early contact with the justice system.

“By re-directing the money from the justice system and reinvesting it in education, drug and alcohol and other services that deal with the underlying causes of criminal behaviour, we are saving money and building brighter futures for our kids,” said Commissioner Mitchell.

The National Justice Symposium runs this evening from 5.15pm at the Brazill rsm Lecture Theatre, The Daniel Mannix Building, Australian Catholic University, 115 Victoria Parade, Fitzroy and from 9am to 4pm on Thursday 19 September at Deakin Edge Theatre, Federation Square, Melbourne.

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Jesuit Social Services is a not-for-profit organisation which works to build a just society by advocating for social change and promoting the health and wellbeing of disadvantaged young people, families and communities.

CHILDREN AND YOUTH IN THE JUSTICE SYSTEM – KEY FACTS AND FIGURES

- Children who come into contact with the justice system are some of the most vulnerable and disadvantaged children in our community. 25% of children or young people with youth justice orders in Victoria came from 2.6% of postcodes (JSS 2013).
- Aboriginal children come into the contact with the justice system at a younger age and are more likely to have ongoing involvement. AIHW research published in 2013 showed 46% of all children aged 10-14 under youth justice in 2011-12 were Aboriginal despite making up less than 5% of the population.
- “Tough on crime” policies are costly, and the evidence suggests funding would be better spent elsewhere. Victoria spends \$409-\$500 per child per day in detention whilst community supervision costs \$14 to \$29 per day. Evidence shows that children who come into the system at an early age are associated with higher rates of offending and longer criminal careers.
- Most young people involved in the criminal justice system have a brief involvement and do not reoffend. However, a small group tend to come into contact at an early age and go on to have significant involvement in the system. Only 33 children with youth justice orders in Vic in 2010 were aged 10, 11 or 12 (JSS 2013). The problem is one of intensity not scale.
- The younger a child comes into contact with the justice system, the more likely they are to reoffend. 85% of young people aged 10–14 who were on supervision orders or in detention had returned to (or continued under) supervision when they were aged 15–17 (AIHW 2013).
- Significant numbers of the youngest children in the justice system are also child protection clients. Our own research (JSS 2013) found that of 27 Victorian children first remanded at 10 to 12 years of age, 100% were known to Child Protection, and 52% were known to Child Protection before their third birthday.
- High percentages of children in youth justice in New South Wales (81% female/ 57% male) and Victoria (65% of detained young people) have experienced trauma, neglect and abuse.
- The age at which a child can be found guilty of a criminal offence in Australia is 10 years old. The minimum age of criminality recommended by the UN is 12 years. The median age of criminality across the EU is 14 years.
- Services need to be available at pressure points and pressure times when children or young people come to the attention of justice authorities. 80% of arrests take place outside of the hours 9-5pm Monday to Friday when most services operate (JSS 2013).